

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 NOV 17 A 11:07

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK AND WAYCROSS DIVISIONS

CLERK *L. Salvatore*
SO. DIST. OF GA.

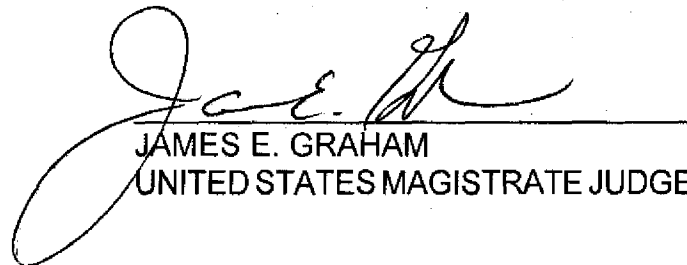
| | | |
|---------------------------|---|-----------------------------|
| THOMAS EDWARD HALL, |) | CIVIL ACTION NO.: CV290-605 |
| FELTON CULLEN WILLIAMS, |) | CV590-258 |
| ROBERT STANLEY GRIFFIN, |) | CV590-262 |
| RICHARD LAMAR CARTER, |) | CV590-267 |
| BOBBY R. ALLEN, |) | CV590-269 |
| LYMAN M. GUY, JR., |) | CV590-270 |
| DAVID GREGORY STEVERSON, |) | CV590-272 |
| GEORGE HOWELL, |) | CV590-273 |
| JAMES GRIFFIN, SR., |) | CV590-274 |
| IDAS RAY SMITH, |) | CV590-276 |
| HAROLD BAXLEY, |) | CV590-277 |
| VERNON CHARLES SMITH, |) | CV590-278 |
| THOMAS K. HARRIS, |) | CV590-280 |
| JACK TARPLEY, |) | CV590-281 |
| GLORIA BUTLER, |) | CV591-005 |
| DANNY KIRKLAND, |) | CV591-019 |
| ROBERT ROLLINS, |) | CV597-076 |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| CSX TRANSPORTATION, INC., |) | |
| |) | |
| Defendant. |) | |

ORDER

Defendant has filed a Motion to Exclude Testimony of Richard Lemen and in the Alternative Motion to Compel Deposition. Plaintiffs have filed a response. After review, Defendant's Motion to Exclude Testimony of Richard Lemen is **DENIED**. Defendant's

Alternative Motion to Compel Deposition is **GRANTED**. Counsel for Plaintiffs is directed to make Richard Lemon, Ph.D. available for deposition prior to December 1, 2005.

SO ORDERED, this 17th day of November, 2005.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE